

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CR-1-02-30

JAMES CARTER,

Defendant.

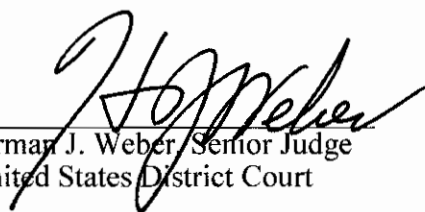
ORDER

This matter is before the Court upon defendant's Motion to Reduce Sentence, Pursuant to 18 U.S.C. Section 3582(c)(2), in a Disputed Case (doc. no. 51). Defendant, James Carter, moves the Court for an Order reducing his sentence from 151 months to a sentence within the range two levels below the range in which he was sentenced based on the retroactive application of the November 1, 2007 crack amendment. This is a Disputed Disposition Case.

Pursuant to Section III. B of General Order No. 08-03, IN RE: PROCEDURES FOR THE IMPLEMENTATION OF THE RETROACTIVE AMENDMENT TO THE SENTENCING GUIDELINES, REDUCING THE 100-1 DISPARITY BETWEEN COCAINE BASE (CRACK COCAINE) AND POWDER COCAINE, if the parties do not agree regarding the defendant's eligibility to receive a reduced sentence or, if eligible, do not agree regarding the extent of a reduction, the disagreement shall be referred to the Probation Office.

Accordingly, this matter is **REFERRED** to the United States Probation Office. The parties shall comply with the procedures mandated by Section III. B of General Order 08-03.

IT IS SO ORDERED.


Herman J. Weber, Senior Judge
United States District Court
